



10-24-05

1743

PATENT IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(MBHB Case No. 00-1123-A)

In re Application of: )  
Cunningham, et al. )  
Serial No.: 09/929,957 )  
Filed: August 15, 2001 )  
For: A Label-Free High-Throughput Optical Technique )  
For Detecting Biomolecular Interactions )

Group Art Unit: 1743 ✓

Examiner: Snay

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

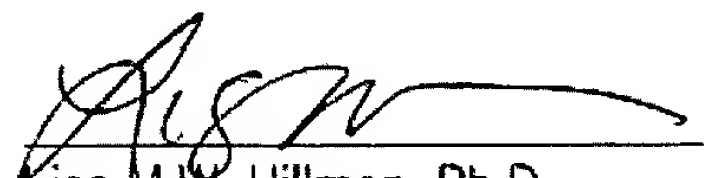
Sir:

In regard to the above-identified application:

1. We are transmitting herewith the attached
  - a. Response to Notice Regarding Drawings
  - b. Petition Under 37 C.F.R. §1.84 For Acceptance of Color Drawing
  - c. 3 Copies of Color Drawing
  - d. Figures (22 pgs)
  - e. Check in the Amount of \$130.00
  - f. Return Receipt Postcard
2. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
3. CERTIFICATE OF MAILING UNDER 37 CFR §1.10: The undersigned hereby certifies that this Transmittal Letter and the paper described in paragraph 1, are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 21, 2005. Express Mail Label No.: EV 723818123 US

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff LLP**

Date: October 21, 2005

By:   
Lisa M.W. Hillman, Ph.D.  
Reg. No. 43,673

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 00-1123-A)

In re Application of: )  
Cunningham *et al.* )  
Serial No.: 09/929,957 ) Examiner: Snay  
Filed: 8/15/2001 ) Art Unit: 1743  
For: A Label-Free High-Throughput Optical )  
Technique for Detecting Biomolecular )  
Interactions )

**RESPONSE TO NOTICE REGARDING DRAWINGS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is filed in response to the notice regarding drawings mailed on September 14, 2005. It is believed that no fee is due in connection with this filing. If, however, a fee is due the Commissioner is authorized to charge our deposit account number 13-2490.

Applicants have submitted new drawings 1, 2, 5, 9, 10, 11, 14, 15, 16, 17, 30, 37, 38, 39, 40, 41, 42, 43, 44, 45 and 48. Also enclosed is a petition to accept color drawing Figure 24.

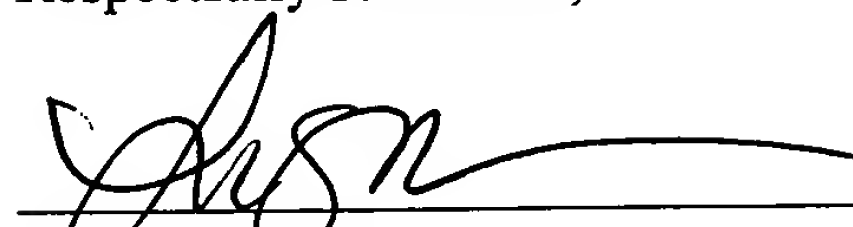
The Office has objected to Figures 13, 22, 23, and 24, which are black and white photographs. Applicants respectfully request that Figures 13, 22, 23, and 24 be accepted under 37 CFR §1.84(b)(1). Photographs are the only practicable medium for illustrating the claimed invention shown in Figures 13, 22, 23, and 24. The photomicrographs shown in Figures 13, 22, 23, and 24 demonstrate gratings of the invention, which cannot be practicably reproduced as drawings. The photographs are of sufficient quality so that all details in the photographs are reproducible in the printed patent. Applicants respectfully request the acceptance of originally filed Figures 13, 22, 23, and 24.

Applicants respectfully request the entry of the substitute drawings in place of the originally filed drawings.

Respectfully submitted,

Date: 10/21/05

By:



**Lisa M.W. Hillman**

Reg. No. 43,673